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# Transcript of Travis Burnett, Corporate Designee & Individually

**Date:** April 12, 2024

**Case:** USA Football, Inc. -v- FFWCT, LLC, et al.

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Transcript of Travis Burnett, Corporate Designee & Individually      1 (1 to 4)  
Conducted on April 12, 2024

<p>1                    IN THE UNITED STATES DISTRICT COURT 2                    FOR THE EASTERN DISTRICT OF TEXAS 3                    SHERMAN DIVISION</p> <p>3 USA FOOTBALL, INC.,                    ) 4                    Plaintiff,                    ) 5                    VS.                            ) CIVIL ACTION NOS.: 6 FFWCT, LLC; USA FLAG, LLC;            ) 4:23-CV-00465 7 AND TRAVIS BURNETT,                    ) and 4:23-CV-00561-ALM 8                    Defendants.                    ) 9                    ) 10                  ----- 11                  ORAL AND VIDEOTAPED DEPOSITION OF 12                  FFWCT, LLC AND USA FLAG, LLC 13                  BY AND THROUGH ITS DESIGNATED REPRESENTATIVE 14                  TRAVIS BURNETT 15                  APRIL 12, 2024 16                  ----- 17                  ORAL AND VIDEOTAPED DEPOSITION OF TRAVIS BURNETT, 18 produced as a witness at the instance of the Plaintiff, 19 and duly sworn, was taken in the above-styled and 20 numbered cause on April 12, 2024, from 9:13 a.m. to 21 5:41 p.m., before Kim A. McCann, CSR in and for the State 22 of Texas, reported by machine shorthand, at the offices 23 of Scheef &amp; Stone, LLP, 2600 Network Blvd., Suite 400, 24 Frisco, Texas, pursuant to the Federal Rules of Civil 25 Procedure.</p>	<p>1                    INDEX                            PAGE 2 Appearances.....                        2 3 TRAVIS BURNETT 4                    Examination by Ms. Ricchiuto.....            8 5                    EXHIBITS 6 NO.                    DESCRIPTION                    PAGE 7 Exhibit 86            Email dated 6/7/17 from Travis Burnett 8                    to Matt Reimel re USA Flag, FFWCT 5761..            38 9                    Business Plan Proposal for 10                  USA Football.....                        72 11                  Trademark/Service Mark Application 12                  dated 4/21/2020.....                        102 13                  Trademark/Service Mark Application 14                  TEAS Plus Application dated 4/17/22....123 15                  Facebook post re USA Football sues 16                  USA Flag for Trademark Infringement....139 17                  Email dated 1/19/17 from Travis 18                  Burnett to Brittney Brothers re 19                  RockSolid, USAFB 890.....                        150 20                  Screenshot from USA Flag's website, 21                  USAFB 1624.....                                151 22                  Screenshot of text messages dated 23                  3/4/21, USAFB 822, USAFB 794.....            173 24                  Screenshot of text messages dated 25                  1/26/22, USAFB 827.....                        177 19                  Email dated 8/3/19 from Travis Burnett 20                  to Izell Reese, FFWCT 6607 to FFWCT 21                  6620.....                                        215 22                  Email dated 9/30/19 from Travis 23                  Burnett to Izell Reese re USA Flag 24                  with Business Plan Proposal attached, 25                  FFWCT 6662 to FFWCT 6678.....            218 19                  Email dated 10/6/19 from Travis 20                  Burnett to Izell Reese re NFL Flag 21                  League, FFWCT 6770.....                        224 22                  Email dated 1/7/2020 from Izell Reese 23                  re FFWCT Meeting, FFWCT 6789.....            226 24                  Email dated 3/3/2020 from Matthew 25                  Reimel to Travis Burnett re Blog Article, FFWCT 6884.....                        227</p>
<p>1                    A P P E A R A N C E S 2 FOR THE PLAINTIFF: 3                  Anne K. Ricchiuto, Esq. 4                  Ashley Hodges, Esq. 5                  PEELLE LAW GROUP 6                  49 Boone Billage 7                  Box 299 8                  Zionsville, Indiana 46077 9                  (202) 964-4500 10                 (202) 964-4502 11                 ricchiuto@peelelawgroup.com 12 FOR THE DEFENDANTS FFWCT, LLC; USA FLAG, LLC; AND TRAVIS 13 BURNETT: 14                  Bryan Haynes, Esq. 15                  SCHEEF &amp; STONE, LLP 16                  2600 Network Blvd. 17                  Suite 400 18                  Frisco, Texas 75034 19                  (214) 472-2100 20                  (214) 472-2150 fax 21                  Bryan.Haynes@solidcounsel.com 22 23 ALSO PRESENT: 24                  Brian Krieger, Videographer 25</p>	<p>1                    INDEX (Cont.) 2 Exhibit 100            Email dated 5/6/2020 from Matt Reimel 3                    to Travis Burnett re NAIA 4                    Announcement, FFWCT 6916.....            230 5                  Exhibit 101            Email dated 8/2/22 from Curtis 6                    Holloman to Troy Vincent re calendar 7                    invite, NFL 66.....                        248 8                  Exhibit 102            NFL Proposed Partnership Budget August 9                    2022, NFL 122 to NFL 127.....            267 10                 Exhibit 103            Email dated 7/26/17 re FFWCT NDA from 11                  Travis Burnett to Mike Solow.....            313 12                 Exhibit 104            Email dated 3/9/23 from Sarah Wilhelm 13                  to Travis Burnett re Hold USA Flag, 14                  FFWCT 473 to FFWCT 476.....                325 15                 Exhibit 105            Email dated 7/19/23 from Holly Shick 16                  to Travis Burnett and Mark Storey re 17                  USA Flag USOPC Connect, FFWCT 503 to 18                  FFWCT 504.....                                330 19                 Exhibit 106            Email dated 1/19/24 from Travis 20                  Burnett re USA Flag USOPC Connect, CH 21                  22.....                                        339 22                 Exhibit 107            Email dated 10/18/23 from Scott 23                  Hallenbeck re USA Flag question, USAFB 24                  1557.....                                        347 25                 Exhibit 108            Email dated 6/25/22 from Travis 1                  Burnett to Aaron Flaker re General M&amp;A 2                  Questions, FFWCT 7050 to FFWCT 7064....352 3                 Exhibit 109            Email dated 7/20/22 from Michael 4                  Bodnar of Galt Group to Travis Burnett 5                  re Proforma, FFWCT 7077 to FFWCT 7135...366 6                 Exhibit 110            Trademark Assignments dated 10/27/23, 7                  FFWCT 2076 to FFWCT 2087.....            371 8                 Exhibit 111            Email dated 9/18/18 from Travis 9                  Burnett to Paul Sarvadi re Investment 10                 Opportunity with Business Plan.pdf 11                 attached, FFWCT 638.....                        379 12                 Exhibit 112            Email string dated 9/20/18 from Travis 13                  Burnett to Paul Sarvadi re Investment 14                 Opportunity, FFWCT 755 to FFWCT 759....384 15                 Exhibit 113            Email dated 10/4/18 from Travis 16                  Burnett re FFWCT Docs with 17                  attachments, FFWCT 673.....                        386 18                 Exhibit 114            Email dated 11/13/18 from Travis 19                  Burnett to Paul Sarvadi re Investment 20                 Opportunity, FFWCT 773 to FFWCT 779....387 21 22 23 24 25</p>

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## Transcript of Travis Burnett, Corporate Designee &amp; Individually 5 (17 to 20)

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	17		19
1     Q. What goals have you seen achieved?		1 <b>separate sport, and I see it as unique and</b>	
2     What do you mean by that?		2 <b>independent and set of -- different set of rules,</b>	
3     A. I mean, getting the sport getting		3 <b>different athletes that are good at it, different</b>	
4     into the Olympics -- not to say that we got it		4 <b>equipment. So I agree that it is a part of</b>	
5     there -- the sport getting into the Olympics was		5 <b>football, just like other sports, but that it has</b>	
6     a goal -- a major goal. I've written articles		6 <b>its own definition.</b>	
7     about it. That was something that we viewed as a		7     Q. When did you start thinking about	
8     way for the players to see the sport reach its		8     getting into the flag football business?	
9     potential from a standpoint of not being viewed		9     A. Directly out of college. So I	
10    as just a hyper recreational, you know,		10    graduated in -- excuse me, I did not graduate --	
11    after-school activity or something.		11    I left college in 2006 from Texas A&M, and my	
12    We've also achieved goals as far as		12    wife graduated, we moved back to Allen. I had	
13    numbers, you know, at our tournaments as far as		13    always been heavily involved in flag football	
14    sponsors and, you know, brands getting involved,		14    intramurals at our university, and I got	
15    so really in multiple aspects.		15    immediately involved in flag football.	
16    Q. You mentioned that you used to play.		16    I had actually gotten reached out	
17    Did you play recreationally?		17    from a local organizer here in Dallas and pretty	
18    A. I still play, actually, and not as		18    much immediately started helping with flag	
19    well. But I just love the game and, yeah, I		19    football tournaments in leagues right out the	
20    played recreationally. I played at the national		20    gate, you know, for the last 20 years. I didn't	
21    level. I -- I've played at all levels.		21    in -- get involved professionally again until we	
22    Q. What does at the national level mean?		22    started this company.	
23    A. So the way we kind of use that is		23    Q. Was there any particular reason why	
24    there's locally we have usually leagues or local		24    you didn't graduate from A&M?	
25    tournaments and kind of local base of players,		25    A. Yeah. I just didn't find a degree	
	18		20
1    and then teams will travel to national events		1    that I liked. I originally wanted to be a high	
2    where they see higher levels of competition and		2    school football coach. My grandpa was kind of a	
3    really the top competition in the nation or the		3    legend of a coach here in Texas and -- but then I	
4    world or the region, and it just enhances that.		4    started getting into creative and A&M didn't have	
5    Q. Were you on the USA Football National		5    a creative degree at the time. And I had started	
6    Team?		6    doing website design, graphic design, started	
7    A. No, ma'am, I was not. I was not good		7    doing that on the side creating flag football	
8    enough.		8    playbooks, actually selling them on eBay, making	
9    Q. Just -- so you played on -- at events		9    some money while I was in college.	
10   that drew from players from throughout the		10   And my wife graduated early. She was	
11   country?		11   the overachiever. I didn't really see a need to	
12   A. Yes, ma'am, like club level		12   stick around and spend money for a degree I	
13   tournament teams. Just you put together your own		13   didn't know that I needed, so went and made my	
14   teams but high competition.		14   own way.	
15   Q. Who did you play for before you were		15   Q. When you were making your own way in	
16   a tournament operator yourself?		16   that time period, were you working for something	
17   A. I still technically played for them.		17   called MiHi?	
18   I played for many teams. You -- we've -- I		18   A. MiHi Creative. Not yet.	
19   bounced around and played for all kinds but not		19   Q. Okay.	
20   for highs. One of my local teams that we still		20   A. That is my personal brand that we	
21   travel and play in tournaments with.		21   developed -- I wouldn't even be able to tell	
22   Q. Do you -- do you agree that flag		22   you -- 15 years or so ago. Shortly after,	
23   football is a subset of football?		23   though. It was probably five years after I	
24   A. I think a lot of people would view it		24   graduated. Originally I didn't have my own	
25   that way. I personally view it as a completely		25   brand, it was a hobby, but then I did end up	

Transcript of Travis Burnett, Corporate Designee & Individually      6 (21 to 24)  
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	21		23
1 <b>creating our own creative agency.</b>		1 wanted to make it better. We both just had a	
2 Q. During that period where it was a		2 love for flag football. So we started talking	
3 hobby, were you like contracted by folks, or you		3 about ways, like, what do we want to do in the	
4 were literally just making stuff and, as you		4 sport, and we came up with some ideas. We	
5 said, selling it on eBay or doing other things		5 created an LLC. I believe that was August 2015,	
6 just to be creative?		6 which was the Flag Football World Championship	
7 <b>A. A little bit of both. A little bit</b>		7 Tour. And we hit the ground running. On our	
8 <b>of everything. But it was a highly -- more of a</b>		8 initial goal was to create sponsorships for	
9 <b>hobby. I did take on a couple of jobs, but I was</b>		9 tournaments that existed already in the space.	
10 <b>working for creative companies as well. And then</b>		10 Q. And the August 2015 LLC was in	
11 <b>I created my own company.</b>		11 Indiana; is that correct?	
12 Q. Okay. What's MiHi stand for?		12 <b>A. Yes, ma'am.</b>	
13 Anything?		13 Q. Okay. And so then you said initially	
14 <b>A. Made In His Image.</b>		14 you were doing sponsorships, and then what?	
15 Q. Okay.		15 <b>A. Initially we were not running our own</b>	
16 <b>A. So it's a spiritual meaning --</b>		16 events. We had -- we were playing in them. We	
17 Q. Yeah. Okay.		17 would go to the tournaments, we would find them	
18 <b>A. -- of a creative, the ultimate</b>		18 sponsors, which was the main draw, that's why we	
19 <b>creator.</b>		19 called it the World Championship Tour. They --	
20 Q. I love to ask about business names		20 we packaged multiple tournaments together into a	
21 because sometimes they're something interesting.		21 tour, and we invited sponsors to attend, which	
22 <b>A. There is a purpose to it.</b>		22 was better to attend a group of multiple big	
23 Q. So how long did MiHi -- MiHi?		23 tournaments in -- whereas individually they were	
24 <b>A. Yes, ma'am.</b>		24 struggling to get that kind of attention.	
25 Q. How long did MiHi last?		25 <b>And we would go, we would play. And</b>	
	22		24
1 <b>A. It's still technically in existence.</b>		1 then shortly after we realized, A, a lot of	
2 <b>I don't bring on too many active or advertise for</b>		2 people were asking us to, you know, run our own	
3 <b>clients because we do that more in -- I use my</b>		3 events, and -- and then, B, we need a little bit	
4 <b>skills more in-house for our current project.</b>		4 more control for our sponsors' sake in just the	
5 <b>But it is still active.</b>		5 events themselves.	
6 Q. At what point did you connect with		6 <b>And so we ran our first event in</b>	
7 Mr. Davis?		7 Dallas, and I believe that was August of 2016.	
8 <b>A. 2015.</b>		8 And then we ran a tournament in Foley, Alabama,	
9 Q. And that's when he found you on a		9 our first traveling tournament in October of	
10 blog and called you and you had the best day of		10 2016. And then we put our first major tournament	
11 bromance ever?		11 on the map for May of the next year, which can	
12 <b>A. Yes, ma'am. And, in fact, I feel</b>		12 kind of where we took off where we had 225 teams	
13 like the story grows every time. But essentially		13 at our first big cash-prize event in Florida.	
14 he called me just out of the blue. I was running		14 Q. And I think is that the event that	
15 a flag football content blog, strategies and		15 Chuck described having lots of tears?	
16 plays just like I've been -- done for many years		16 <b>A. Yes. I've never been as stressed out</b>	
17 and wanted to advertise his -- a tournament.		17 as I was at that one. We -- we were very much	
18 We had never connected before, but we		18 new and didn't know really the behind the scenes	
19 essentially had a long phone call. Whether it		19 what we were getting into at the time. And it	
20 was an hour, two hours, five hours, I don't know,		20 was an eye opener, yes, ma'am. But it was a	
21 it grows. But that was the start of our		21 success as well in our players' eyes, and it	
22 relationship, and we very immediately hit it off.		22 really propelled us into space.	
23 We had developed some good chemistry		23 Q. Today what are the -- what are the	
24 in our love for the sport and what we wanted do		24 roles generally as between you and Mr. Davis in	
25 and what we saw the deficiencies and where we		25 USA Flag or FFWCT?	

Transcript of Travis Burnett, Corporate Designee & Individually      15 (57 to 60)  
 Conducted on April 12, 2024

	57		59
1	talking about Andy Fuller; correct?	1	<b>A. This appears to be the proposal that</b>
2	<b>A. That specific -- the specific</b>	2	<b>we sent USA Football in 2017 for our partnership,</b>
3	<b>interaction, yes, ma'am.</b>	3	<b>I believe.</b>
4	Q. Okay. And just to make sure I'm	4	Q. And what was the partnership going to
5	clear, the -- the concern that you have around	5	be as you proposed it?
6	IFAF membership is, is it that there's just one	6	<b>A. The creation of the entity that we'd</b>
7	per country? Is that what you don't like?	7	<b>envision being the forefront of flag football</b>
8	<b>A. No, ma'am.</b>	8	<b>with USA Football's support.</b>
9	Q. Or it's that USA Football is the	9	Q. What do you mean by forefront?
10	member?	10	<b>A. Being the organization that is the</b>
11	<b>A. Neither. If they deem USA Football</b>	11	<b>face of flag football.</b>
12	<b>the member, then -- and they have, then that's</b>	12	Q. So on the second page of the deck
13	<b>totally fine. All I'm saying is I think that</b>	13	where it says, Create the nationally recognized
14	<b>there should be a way to analyze other</b>	14	United States flag football governing body.
15	<b>organizations -- I don't know why this applies --</b>	15	Do you see that?
16	<b>but who also fit the criteria at some point.</b>	16	<b>A. Yes, ma'am.</b>
17	Q. You'd like to have a run at competing	17	Q. Did you believe at this time in 2017
18	for the membership?	18	that there was no such body?
19	<b>A. We'd like to be a part of -- with</b>	19	<b>A. Specifically, yes, ma'am.</b>
20	<b>what you guys are doing, but if they -- if two</b>	20	Q. Why did you believe that?
21	<b>organizations -- if an organization working</b>	21	<b>A. Because there wasn't for the specific</b>
22	<b>through another organization doesn't work, even</b>	22	<b>sport of flag football, which we -- I've</b>
23	<b>though it has in the past, then, yeah, we would</b>	23	<b>mentioned we believe is a completely different</b>
24	<b>love to be considered for progressing the sport</b>	24	<b>sport than football. And currently there is a</b>
25	<b>as the official NGB if they deem it -- you know,</b>	25	<b>governing body for the sport of football, and</b>
	58		60
1	<b>us worthy.</b>	1	<b>they lump flag football underneath that umbrella.</b>
2	Q. Have you communicated to Andy Fuller	2	<b>We had made the pitch to USA Football we see flag</b>
3	or IFAF your views about this lack of fairness in	3	<b>football is completely different than tackle,</b>
4	their membership process?	4	<b>different players, different rules, different</b>
5	<b>A. I don't believe so.</b>	5	<b>everything that we've talked about. So let's</b>
6	Q. Have you threatened to sue them?	6	<b>develop a body that specializes in flag while</b>
7	<b>A. No, ma'am.</b>	7	<b>there's also a body that specializes in tackle.</b>
8	Q. Have you thought about suing them?	8	<b>That was our pitch.</b>
9	<b>A. No, ma'am.</b>	9	Q. But so when we're talking about this
10	Q. Okay. We're going to look at an	10	governing body concept, you and Mr. Davis had a
11	exhibit that we looked at yesterday with	11	thought that -- and you've both told me about
12	Mr. Davis, and that's 27.	12	it -- that flag football is a different sport;
13	<b>A. Okay.</b>	13	right?
14	Q. That's next on your pile. This a	14	<b>A. Yes, ma'am.</b>
15	FFWCT 5927. This is a final presentation sent	15	Q. Does the USOC -- USOPC RSO process
16	July 18, 2017, from you to Chuck, and the	16	recognize flag football as separate from
17	attachment is a USA Flag Proposal.	17	football?
18	MR. HAYNES: What exhibit number is	18	<b>A. I don't know either way.</b>
19	that again?	19	Q. Does the IFAF American football
20	MS. RICCHIUTO: Oh, I'm sorry. It's	20	concept include flag football?
21	27.	21	<b>A. Yes, ma'am.</b>
22	MR. HAYNES: I think you said it, I	22	Q. Okay. So the two -- the two entities
23	just missed it.	23	that are responsible for designating members or
24	MS. RICCHIUTO: Yep, no problem.	24	governing body view flag football as part of
25	Q. What is this, Travis?	25	football.

Transcript of Travis Burnett, Corporate Designee & Individually      16 (61 to 64)

Conducted on April 12, 2024

	61		63
1	Do you agree with that?	1	football?
2	<b>A. Yes, ma'am.</b>	2	<b>A. I don't know what -- that has any</b>
3	<b>Q. You two see it differently; correct?</b>	3	<b>bearing on what the USOPC believes if flag and</b>
4	<b>A. No. We see it as it -- it is using a</b>	4	<b>football are different. I don't know. I don't</b>
5	<b>football but as a completely different set of</b>	5	<b>know that they've had anybody else that's come in</b>
6	<b>sport and rules.</b>	6	<b>and offered opportunity to be an RSO or -- or a</b>
7	Q. Right. Thank you. You -- you	7	<b>governing body that was specific to flag. I --</b>
8	wouldn't do it the way that IFAF and -- and USOPC	8	<b>from what I've understood, there hasn't been. So</b>
9	do it, do I take that to be your testimony? You	9	<b>that's all we've set out to do is say flag is a</b>
10	would have --	10	<b>different sport.</b>
11	<b>A. No.</b>	11	Q. And you think the USOPC, that just
12	Q. -- a governing body for football and	12	never occurred to them?
13	you would have a governing body for flag. Agree?	13	<b>A. That flag is a different sport?</b>
14	<b>A. I believe so, yes, ma'am.</b>	14	Q. Correct.
15	Q. And you would have an IFAF member for	15	<b>A. No. What I'd specifically just said</b>
16	football and you would have an IFAF member for	16	<b>is I don't believe that an organization has</b>
17	flag; is that correct?	17	<b>presented itself that does flag specifically that</b>
18	<b>A. I believe so, yes.</b>	18	<b>they could recognize.</b>
19	Q. You agree that's not the way that it	19	Q. Well, it recognizes USA Football;
20	works?	20	right?
21	<b>A. Currently, yes, ma'am.</b>	21	<b>A. As an RSO.</b>
22	Q. Okay. So your belief in 2017, or at	22	Q. For flag football?
23	any time, that USA Football isn't the governing	23	<b>A. Sure. I don't know. I don't know if</b>
24	body for flag football derives from your view,	24	<b>they do flag football or tackle or both or all of</b>
25	shared not by USOPC or IFAF but just by you and	25	<b>the above. But don't -- I also do know from</b>
	62		64
1	Mr. Davis, that flag football should be distinct;	1	<b>USOPC directly that RSO is a completely separate</b>
2	is that correct?	2	<b>program than a national governing body and not</b>
3	<b>A. No. I don't believe your entire</b>	3	<b>the same program.</b>
4	<b>statement is correct. I don't believe that</b>	4	Q. What I'm trying to understand is in
5	<b>that's shared by the USOPC that I'm aware of. Do</b>	5	2017 you presented the opportunity, as it says on
6	<b>you -- are you aware of them having that opinion?</b>	6	5929, to create the nationally recognized United
7	<b>I don't know how to --</b>	7	States flag football governing body.
8	MR. HAYNES: You don't get to ask	8	And I want to know whether you
9	questions.	9	believed in 2017 that there was no such thing?
10	<b>A. Well, I don't know -- I don't know --</b>	10	<b>A. As a flag football-specific governing</b>
11	<b>I mean -- yeah. So, no, I don't believe that</b>	11	<b>body?</b>
12	<b>that whole statement is true personally.</b>	12	Q. Or any governing body that covered
13	Q. You don't believe that the USOPC	13	flag football already.
14	deems USA Football the RSO for flag football?	14	<b>A. I -- I didn't say I don't believe</b>
15	<b>A. I believe that's a completely</b>	15	<b>that. I do believe that USA Football was</b>
16	<b>separate question. I don't know -- I do believe</b>	16	<b>currently included in that with flag football,</b>
17	<b>that USA Football is the RSO of the USOPC. I</b>	17	<b>but I believe they didn't have a flag football</b>
18	<b>I don't believe that that has any bearing on your</b>	18	<b>development program. So we pitched them</b>
19	<b>previous comment about them believing that flag</b>	19	<b>USA Flag to develop the sport with -- under their</b>
20	<b>and football are not different sports. I don't</b>	20	<b>umbrella because they did have the accreditation</b>
21	<b>know what they believe.</b>	21	<b>with us powering it.</b>
22	Q. You don't know what USOPC believes?	22	Q. Okay. So the -- the program question
23	<b>A. Correct.</b>	23	is a different question than whether you believed
24	Q. Okay. So you don't know one way or	24	or understood that USA Football at that time was
25	another whether their RSO status encompasses flag	25	the governing body for football, which included

Transcript of Travis Burnett, Corporate Designee & Individually      17 (65 to 68)  
 Conducted on April 12, 2024

	65		67
1	flag.	1	time were the USA Flag brand?
2	<b>A. What -- what's --</b>	2	<b>A. Right. Because we already had a Flag</b>
3	Q. Did you know that to be true in 2017?	3	<b>Football World Champ -- Championship Tour brand,</b>
4	<b>A. Can you rephrase the question so --</b>	4	<b>so this was already talking about taking what</b>
5	<b>again.</b>	5	<b>w'e'd already built and building it under USA Flag</b>
6	MR. HAYNES: Still knows --	6	<b>with partnership from USA Football if they are</b>
7	MS. RICCHIUTO: Everybody's off.	7	<b>willing to do that.</b>
8	MR. HAYNES: Doesn't matter.	8	Q. So if you already had a Flag Football
9	THE WITNESS: Yeah.	9	World Championship Tour brand, why didn't you
10	Q. In 2017 did you know whether or not	10	come to USA Football with this pitch under Flag
11	USA Football was the RSO?	11	Football World Championship Tour?
12	<b>A. I did not.</b>	12	<b>A. Because this is how we'd envisioned</b>
13	Q. So you did not know whether or not	13	<b>USA Flag. This is the brand. This is more</b>
14	the USOPC had recognized USA Football as a	14	<b>representative of what the -- the scope of this</b>
15	governing body for flag football -- you did not	15	<b>project would encompass. Currently the Flag</b>
16	know one way or another; is that correct?	16	<b>Football World Championship Tour was a tournament</b>
17	<b>A. That's correct.</b>	17	<b>marketing organization. This is much more in</b>
18	Q. Okay. What happened as a result of	18	<b>depth into developing the sport in the</b>
19	this pitch?	19	<b>United States, National Team, membership. All</b>
20	<b>A. Essentially my recollection of our</b>	20	<b>the things that we'd envisioned doing for our</b>
21	<b>meeting was everything went really well. They</b>	21	<b>sport, we wanted to do with USA Football.</b>
22	<b>did express that they didn't think they -- they</b>	22	Q. Why couldn't you do those under Flag
23	<b>would want to do this underneath a third-party</b>	23	Football Championship World Tour --
24	<b>brand like USA Flag. They specifically said they</b>	24	<b>A. We could.</b>
25	<b>wanted to do it in-house, and they said let's</b>	25	Q. -- or World Championship Tour.
	66		68
1	<b>I talk about a lot of these concepts but working</b>	1	You could have?
2	<b>with them to do it separately.</b>	2	<b>A. We could have.</b>
3	Q. Mr. Davis mentioned yesterday in	3	Q. You decided come to USA Football with
4	connection with this exhibit something about the	4	a USA Flag concept instead; correct?
5	potential for USA Football to acquire the	5	<b>A. We -- we were actively doing this and</b>
6	USA Flag brand.	6	<b>moving towards this as FFWCT while we came to</b>
7	Was that a conversation that took	7	<b>USA Football with this pitch to partner, yes,</b>
8	place at that time?	8	<b>ma'am.</b>
9	<b>A. I believe we did have some initial</b>	9	Q. You were actively doing what?
10	<b>conversations. I don't really recall if there</b>	10	<b>A. Working towards these same goals</b>
11	<b>was anything put to paper on it or anything.</b>	11	<b>underneath our own organization.</b>
12	Q. What was -- what existed that	12	Q. Was it going to be an either/or?
13	constituted the USA Flag brand in 2017?	13	<b>A. No, ma'am.</b>
14	<b>A. In 2017 it was minimal. It was just</b>	14	Q. So if USA Football had said, Yes,
15	<b>the actual creative assets for the most part as</b>	15	let's have USA Flag, you can power it, would
16	<b>far as what we had created for USA Flag</b>	16	FFWCT also have been working toward the goals
17	<b>specifically.</b>	17	described in this deck?
18	Q. Is that the logo?	18	<b>A. Oh, no. If they said that they would</b>
19	<b>A. The logo was one of them.</b>	19	<b>have been on board with powering this, then I</b>
20	Q. What else?	20	<b>believe we would probably gone away from the</b>
21	<b>A. I believe the pitch decks and just</b>	21	<b>FFWCT brand altogether at that point, and it</b>
22	<b>general, you know, brand guidelines and some</b>	22	<b>would have all been USA Flag. That was our goal</b>
23	<b>stuff that we had probably not on paper but --</b>	23	<b>from the very beginning was to move it under</b>
24	<b>and beyond that, more just concepts.</b>	24	<b>USA Flag once our objectives and what we do was</b>
25	Q. So your ideas essentially at that	25	<b>an accurate description of our brand to be</b>

## Transcript of Travis Burnett, Corporate Designee &amp; Individually 18 (69 to 72)

Conducted on April 12, 2024

	69		71
1	USA Flag.	1	depends on are you the number one governing body,
2	Q. What was important about the name	2	we're not making claims to any of that. But a
3	USA Flag? Why do you say it describes it better?	3	governing, by definition, yes, I believe it is
4	A. Because to us it represents exactly	4	the organization that dictates the rules and
5	what our company does. We are a governing body	5	competition of their constituents.
6	for the sport of flag football in that we, by	6	Q. Who else shares your belief about
7	definition, dictate the rules and competition of	7	what the definition of a governing body is?
8	our constituents, which is about 10,000 athletes	8	A. I can only go by what the actual
9	that annually participate in our events.	9	definition is in the dictionary, I would suppose,
10	And so from that, we check almost	10	so Webster. I don't know.
11	every box of a definition of what a typical	11	Q. Is that where the common consent of
12	governing body would be. And in most sports, by	12	constituents language comes from?
13	precedent there's multiple governing bodies.	13	A. No, ma'am. I believe that's an -- an
14	There's lots of organizations that have their own	14	addition probably from my own words. I'm not
15	set of players, participants, whatever.	15	quoting it. But I do know that it is -- I would
16	Now, some of them -- one of them will	16	think that the definition that I've read says
17	become officially certified by the USOPC as a	17	something to the effect of being a governing body
18	national governing body. That is where we knew	18	is an organization that controls the rules and
19	USA Football was already in that lane. So at	19	competition of their sport.
20	that point, all we knew is that they were working	20	Q. So from that perspective, the words
21	with IFAF. We didn't know their relationship	21	"governing body" can be used by anybody who
22	with the USOPC.	22	thinks they are a governing body.
23	But this was an attempt to merge all	23	Do you agree with that?
24	that underneath one umbrella of USA Flag with us	24	A. I do.
25	operating it and them powering it so they did not	25	Q. And that includes you?
	70		72
1	have to go out and create it on their own.	1	A. That includes me.
2	Q. Who decides who becomes a governing	2	Q. I have a new exhibit for you. I'm
3	body for a sport?	3	sorry this isn't in color, but I think you can
4	A. I believe it's the common consent of	4	probably remember that it used to be red.
5	their constituents.	5	A. Yes.
6	Q. So do you believe that players who	6	Q. Okay. Or is red in real life other
7	sign up to play in a USA Flag tournament are	7	than in this room. This is Exhibit 87.
8	consenting to be governed by USA Flag?	8	(Exhibit 87 was marked.)
9	A. Yes.	9	Q. I think it may have been an
10	Q. How do you know that they -- what --	10	attachment that was produced to us without a
11	what's the basis for that belief?	11	Bates number. But this is a Business Plan
12	A. Because we have waivers where they	12	Proposal for USA Football presented by
13	agree to abide by our rules and our standards and	13	Travis Burnett and Charles Davis dated July 24,
14	they sign them. And every time they attend our	14	2017.
15	tournament, we have those posted online. And we	15	Have you seen this before, Travis?
16	do dictate the rules. We do dictate the	16	A. Yes, ma'am.
17	officiating. Those are things that we do for the	17	Q. And what is this?
18	events that we run, so the participants that	18	A. This appears to be the -- one of the
19	participate in our events, they are governed by	19	business plans or maybe the official one that we
20	those.	20	presented to USA Football in -- in person, I'm
21	Q. And that's -- having rules makes you	21	assuming, or --
22	a governing body, is that your understanding?	22	Q. How --
23	A. No. It's dictating the level of	23	A. -- one of the ones.
24	rules and competition that others use and abide	24	Q. Well, that's what I was going to ask.
25	by, I think, makes you a governing body. It	25	So we were looking at a presentation, a deck that

Transcript of Travis Burnett, Corporate Designee & Individually      24 (93 to 96)  
 Conducted on April 12, 2024

<p style="text-align: right;">93</p> <p>1 got fired. I do remember they were hired, so I      2 think someone left or they might have never been      3 there and they were trying to fill a spot to be      4 the point of contact. I cannot recall.</p> <p>5 Q. Did they ultimately fill that spot?</p> <p>6 A. I believe so.</p> <p>7 Q. With whom?</p> <p>8 A. I'm assuming that's what Eric Mayes'      9 role ended up being because he did come into the      10 equation at the very end of our contract.</p> <p>11 Q. Okay. And then the contract ended,      12 and was there any conversation about keeping the      13 relationship going?</p> <p>14 A. Yes, ma'am.</p> <p>15 Q. What was the nature of that      16 conversation?</p> <p>17 A. Originally it was supposed to be a      18 multiyear deal and we -- and we were anticipating      19 that it would be renewed as an option. It wasn't      20 a guaranteed. It wasn't in contract. So -- but      21 they ultimately decided not to renew it. They      22 did ask us to stay on and continuing fulfilling      23 that contract without compensation and we      24 declined.</p> <p>25 Q. Say more about that.</p>	<p style="text-align: right;">95</p> <p>1 football was ever going to get included.</p> <p>2 Q. Because you didn't think tackle could      3 get included?</p> <p>4 A. Because I knew it couldn't get      5 included.</p> <p>6 Q. Why not?</p> <p>7 A. Because it doesn't fit the bill</p> <p>8 for -- it has too many athletes and it's too      9 much -- it's too much wear and tear on your body      10 in a short span. There's other precedence in      11 other sports, such as rugby where they had to go      12 to rugby 7s, kind of a smaller format and with      13 less players and a different style to make it      14 work.</p> <p>15 So there's other precedent in other      16 sport for how our sport would get into the      17 Olympics, so I wrote an article about just that.</p> <p>18 Q. Why was that an interest of yours to      19 have flag in the Olympics?</p> <p>20 A. Just passion. I love the players. I      21 love the sport. I mean, who doesn't want to be      22 associated with getting into the Olympics.      23 There's -- there's -- obviously the Olympics are      24 what they are. They're an aspiration. So that      25 was what I wanted to do.</p>
<p style="text-align: right;">94</p> <p>1 A. Basically the first conversation I      2 had with Eric Mayes was him saying we -- we're      3 not going to pay you a contract, but we still      4 want you to honor what you're doing for us in the      5 sanctioning events. We want you to sanction your      6 events which help promote our events, we just      7 can't afford to pay you. And so we declined.</p> <p>8 Q. Was there -- so in your estimation,      9 there wasn't enough benefit from having whatever      10 that relationship would have been to do it for      11 free?</p> <p>12 A. For us, correct, yes, ma'am.</p> <p>13 Q. Okay. Was there any talk back during      14 this time frame about flag making its way into      15 the Olympics?</p> <p>16 A. With USA Football specifically?</p> <p>17 Q. At all.</p> <p>18 A. Yes. I wrote an article about it      19 actually in -- during this time frame.</p> <p>20 Q. As a consultant for USA Football or      21 on your own?</p> <p>22 A. On my own for my FlagSpin blog.</p> <p>23 Q. Saying what?</p> <p>24 A. Just that the pathway to the Olympics      25 was through flag football if our sport of</p>	<p style="text-align: right;">96</p> <p>1 Q. And flag is in the Olympics now or      2 will be; correct?</p> <p>3 A. Yes, ma'am.</p> <p>4 Q. Do you feel like you're associated      5 with that?</p> <p>6 A. I feel like we had a role in its      7 ability to get into the Olympics, I do.</p> <p>8 Q. In what way?</p> <p>9 A. By driving the level of competition      10 for the National Team program that they didn't      11 have. The US when -- they have a role in the      12 2020 Olympics of nominating and selecting sports      13 they want to see. So the US, because it's hosted      14 in LA in 2028, they have a role in picking sports      15 they want to see in there. That, in part, is      16 based on whether or not they feel like we can win      17 the gold medal.</p> <p>18 And prior to us getting involved,      19 that was not nearly as realistic. And in 2028      20 whenever the USA Football -- whenever we went to      21 them to basically pitch them on us helping them      22 make their National Team better by providing flag      23 football players instead of tackle players and      24 coaching, we took off from there.</p> <p>25 And that basically assisted the sport</p>

Transcript of Travis Burnett, Corporate Designee & Individually      25 (97 to 100)

Conducted on April 12, 2024

<p style="text-align: right;">97</p> <p>1 <b>in becoming more recognized because we were</b>      2 <b>dominant at that point. And I do believe that</b>      3 <b>that helped the NFL and the USOPC and everybody</b>      4 <b>else -- I don't know for sure, I just -- but I do</b>      5 <b>believe we had a role in -- a small role -- yes,</b>      6 <b>USA Football did, too, I'm not taking anything</b>      7 <b>away from them -- in our sport getting Olympic</b>      8 <b>status.</b></p> <p>9 Q. When you say there wouldn't have been      10 an opportunity for a US team to get a gold medal      11 without your tournament series or without your      12 involvement, why is that?</p> <p>13 A. I don't believe that's what I said.      14 But I believe what I said was without us they had      15 struggled. And that's true, they weren't winning      16 gold medals and they had not won a men and a      17 women's gold medal in the same year, as far as I      18 know, ever. I'm not -- don't quote me on that.</p> <p>19 But they were not consistently      20 dominant. And the year we came onboard, they won      21 both gold medals, and then they one both gold      22 medals the next two years later. And then I      23 believe this last year, they only one, but they      24 are still dominant. They won a silver. So      25 before that, they weren't.</p>	<p style="text-align: right;">99</p> <p>1 <b>and our players to select a team that actually</b>      2 <b>knows the sport of flag football to go compete.</b></p> <p>3 Q. The -- the years that you said      4 there's been double gold, double gold, and then      5 one gold --</p> <p>6 A. I believe that was correct.</p> <p>7 Q. -- were you involved in the selection      8 process for the National Team in all of those      9 years?</p> <p>10 A. I was not directly involved in the      11 selection process. I don't want to make that      12 claim. We were involved -- our events were part      13 of the selection process, so I did not personally      14 select the players. The coaches were involved,      15 and those coaches in general were part of our      16 staff that we'd helped develop in the sport and      17 brought up in the sport. We gave them kind of      18 the runway in the sport, and most of them are      19 just kind of close friends of mine.</p> <p>20 So we had worked with them intimately      21 in 2018. In 2021 because of the COVID year, they      22 moved back, they were scouting at our events.      23 And in 2023, they had been scouting previously,      24 but they weren't currently scouting at our events      25 for that team.</p>
<p style="text-align: right;">98</p> <p>1 Q. What is it about you coming onboard,      2 as you say, that made the gold medals possible?</p> <p>3 A. Because we were aware of their      4 selection process, and their selection process on      5 the men's and women's side was -- you know, I      6 wasn't intimately involved -- but from what we      7 were made aware, they were primarily using,      8 especially on the women's side, tackle players.      9 And it's a very different sport as we've, you      10 know, gone over.</p> <p>11 So on the men's side, they basically      12 were only using players that could afford to go,      13 and they weren't using competitive to traveling      14 teams. They weren't playing their way. There      15 was a lot of things they hadn't done. So that      16 was part of our consultation with them is, you      17 know, if the you want the best players, you're      18 going to have to pay for them. Like, if they're      19 not, then they can't afford them.</p> <p>20 And also we'll run an event, which we      21 held in May of 2018 in Arlington, specifically      22 for USA Football where we invited all the players      23 from all over the country, top players, and we      24 invited USA Football to come evaluate them where      25 they could use -- work with our -- our coaches</p>	<p style="text-align: right;">100</p> <p>1 So there's -- the first two years      2 especially when they got on, we were intimately      3 involved at least our events were and our players      4 and our coaches. I say our player because they      5 attend our events and -- well before they      6 attended USA Football's. And then they've      7 historically carried over most of that roster      8 into 2023, but there was a little bit more      9 turnover at that point.</p> <p>10 Q. So is it your view currently that the      11 very best athletes, the most likely to win gold      12 medals, play in your events and not in anybody      13 else's?</p> <p>14 A. I don't -- I don't know about if      15 they're playing in anybody else's events. But I      16 do believe a majority of the teams that are on      17 the National Team in 2028 will have mostly gotten      18 their level of competition from our events, yes.</p> <p>19 Q. That's just a prediction that you're      20 making?</p> <p>21 A. Based on an educated guess that the      22 other environment -- of people in our environment      23 and in our industry, yes.</p> <p>24 Q. What are the other options for folks      25 on Team USA -- we'll use those special words --</p>

Transcript of Travis Burnett, Corporate Designee & Individually      26 (101 to 104)

Conducted on April 12, 2024

<p>101</p> <p>1 on Team USA for the LA '28 Olympics, other than 2 folks that have played through your tournaments, 3 where else might members of the Team USA be 4 located or sourced?</p> <p>5 <b>A. Where -- source -- so where they --</b> 6 <b>where USA -- where USA Football can find the</b> 7 <b>players?</b></p> <p>8 Q. If USA Football's who are -- who is 9 responsible for finding players.</p> <p>10 <b>A. In '28, okay.</b></p> <p>11 Q. They could come to your events and 12 look for them; right?</p> <p>13 <b>A. Uh-huh.</b></p> <p>14 Q. What else could they do?</p> <p>15 <b>A. I mean, they can host their own</b> 16 <b>events. They can pull -- I don't know. I can't</b> 17 <b>really speculate on what USA Football could do,</b> 18 <b>to be honest. But, I mean, I know what we would</b> 19 <b>do.</b></p> <p>20 Q. What would you do?</p> <p>21 <b>A. We would pull them from our events</b> 22 <b>almost exclusively.</b></p> <p>23 Q. Would you look more broadly than 24 that?</p> <p>25 <b>A. We would. But I don't believe that</b></p>	<p>103</p> <p>1 Q. Do you know what this is?</p> <p>2 <b>A. This appears to be a trademark</b> <b>application from 2020.</b></p> <p>4 Q. Okay. So is this a trademark</p> <p>5 application filed by you in -- on February -- or</p> <p>6 excuse me -- April 21, 2020?</p> <p>7 <b>A. That appears to be, yes, ma'am.</b></p> <p>8 Q. Okay. And I believe that this</p> <p>9 trademark application, whatever the right word</p> <p>10 is, it was abandoned, it didn't come to pass.</p> <p>11 Do you agree with that?</p> <p>12 <b>A. I do.</b></p> <p>13 Q. Okay. So I don't -- we don't need to</p> <p>14 spend too much time on it, but I do have one</p> <p>15 question -- a couple of questions. This is -- I</p> <p>16 know Mr. Davis yesterday wasn't totally clear. I</p> <p>17 think this is a design mark application.</p> <p>18 <b>A. Yes, ma'am, it is.</b></p> <p>19 Q. And it's for the mark that's on -- if</p> <p>20 you look at the crawl on the top of the page,</p> <p>21 page 5 of 6, it's for that mark that you were</p> <p>22 filing the application?</p> <p>23 <b>A. Yes, ma'am.</b></p> <p>24 Q. Okay. And then on page 6 of 6, you</p> <p>25 have that same mark kind of in the context of a</p>
<p>102</p> <p>1 <b>most of the players that would qualify and have</b> 2 <b>the talent level and the experience to play would</b> 3 <b>come anywhere from outside of our events. But we</b> 4 <b>would -- but we would be open invitation so</b> 5 <b>anybody could participate. But I do know where</b> 6 <b>our talent resides based on historical, you know,</b> 7 <b>evidence.</b></p> <p>8 Q. What's the cause and what's the</p> <p>9 effect there in your mind, Travis? Is it that</p> <p>10 your events create good players? Is it -- or is</p> <p>11 it that good players happen to play in your</p> <p>12 events?</p> <p>13 <b>A. I think both, for sure.</b></p> <p>14 MS. RICCHIUTO: Let's take a break.</p> <p>15 THE WITNESS: Okay.</p> <p>16 MS. RICCHIUTO: Surprise everybody.</p> <p>17 THE WITNESS: Okay.</p> <p>18 THE VIDEOGRAPHER: We're off the</p> <p>19 record at 10:48 a.m.</p> <p>20 (Break from 10:48 a.m. to 11:04 a.m.)</p> <p>21 THE VIDEOGRAPHER: The time is</p> <p>22 11:05 a.m. We're back on the record.</p> <p>23 Q. (BY MS. RICCHIUTO) Okay. Travis,</p> <p>24 I'm marking a new exhibit. This is Number 88.</p> <p>25 (Exhibit 88 was marked.)</p>	<p>104</p> <p>1 promotional document, and then this document also</p> <p>2 has USA Football's logo on it in the lower right</p> <p>3 corner.</p> <p>4 Do you see that?</p> <p>5 <b>A. Yes, ma'am.</b></p> <p>6 Q. What was this document?</p> <p>7 <b>A. This document was a flier for a camp</b> 8 <b>we were running in 2019, I believe.</b></p> <p>9 Q. And --</p> <p>10 <b>A. 2020.</b></p> <p>11 Q. Was this a document that was --</p> <p>12 <b>A. No, it was 2019.</b></p> <p>13 Q. Sorry.</p> <p>14 <b>A. It was 2019.</b></p> <p>15 Q. Okay. Is this a document that was --</p> <p>16 is -- this is a USA Flag document as opposed to,</p> <p>17 for example, a document that was generated as a</p> <p>18 result of you being a consultant for</p> <p>19 USA Football?</p> <p>20 <b>A. Correct. This was separate of our</b> <b>consultation agreement.</b></p> <p>22 Q. Okay. Why or how did USA Football's</p> <p>23 logo get on your flier?</p> <p>24 <b>A. Specifically we had reached out to</b> <b>USA Football about the NFL Flag program, and at</b></p>

Transcript of Travis Burnett, Corporate Designee & Individually      28 (109 to 112)

Conducted on April 12, 2024

<p>109</p> <p>1 Collaboration Agreement between at this -- now 2 we've gotten the shortened name, FFWCT and 3 USA Football.</p> <p>4 Do you recognize this document?</p> <p>5 <b>A. Yes, ma'am.</b></p> <p>6 Q. What was the point of the Event 7 Collaboration Agreement?</p> <p>8 <b>A. At this point this was our second 9 agreement where we were more or less discussing 10 them -- their ability -- USA Football's ability 11 to activate at our events and scout for their 12 National Team program primarily.</b></p> <p>13 Q. How did that go?</p> <p>14 <b>A. I think it went fine. We -- for the 15 most part. I mean, they -- we were with each 16 other for the first -- I mean, the entire year. 17 They wanted to continue scouting at our events, 18 we just didn't have a formal agreement after this 19 one concluded. And we had our -- we definitely 20 had some issues, but I think it was all in all, 21 they scouted. They were successful. I think 22 both of our -- it was fine otherwise.</b></p> <p>23 Q. Is this one of the years where they 24 got double gold?</p> <p>25 <b>A. This would have been 2021, so I</b></p>	<p>111</p> <p><b>1 Across all forms of American football including 2 tackle and flag.</b></p> <p>3 Q. And what did national governing body 4 mean to you at this -- we talked about what it 5 meant to you in -- in 2017.</p> <p>6 What did -- what did "national 7 governing body" mean to you here in 2021?</p> <p>8 <b>A. In 2021 I -- I still did not fully 9 understand the qualification needed to become a 10 national governing body. And all I knew that 11 USA Football had been advertising them self the 12 national governing body, so I assumed that it was 13 true.</b></p> <p>14 Q. Does -- at this time in 2021, was 15 flag football an Olympic sport?</p> <p>16 <b>A. No, ma'am.</b></p> <p>17 Q. So there wouldn't have been a 18 certified national governing body, do we agree 19 about that?</p> <p>20 <b>A. At this time, correct, I would agree.</b></p> <p>21 Q. Then this paragraph 4 -- 4(c) is the 22 paragraph that talks about your -- you're 23 stopping using USA Flag during the term of the 24 agreement.</p> <p>25 Do you see that?</p>
<p>110</p> <p><b>1 believe so. I believe this was Israel where 2 they -- I think they won double gold.</b></p> <p>3 Q. And in this agreement there are 4 references to the fact that USA Football is the 5 governing body.</p> <p>6 Do you remember that?</p> <p>7 <b>A. I don't remember, but if you could 8 find it, I --</b></p> <p>9 Q. Sure. It's on page 690. I should 10 have done that to begin with.</p> <p>11 <b>A. Okay.</b></p> <p>12 Q. Paragraph 4(b), FFWCT acknowledges 13 USAFB's role as football's national governing 14 body across all forms of American football 15 including tackle and flag football.</p> <p>16 <b>A. Okay.</b></p> <p>17 Q. Do you see that?</p> <p>18 <b>A. I do.</b></p> <p>19 Q. What -- what did you understand that 20 provision to mean at this time?</p> <p>21 <b>A. That USA Football was telling us that 22 they were the national governing body for 23 football.</b></p> <p>24 Q. Including flag?</p> <p>25 <b>A. Yes, including flag, I would imagine.</b></p>	<p>112</p> <p><b>1 A. Yes, ma'am.</b></p> <p>2 Q. What's your understanding about 3 before this agreement was entered whether there 4 were any legal risks to you for using USA Flag?</p> <p>5 <b>A. Prior to this, I think USA Football 6 had sent us a cease-and-desist in 2020, which is 7 actually what led to this agreement. So I 8 understood that USA Football did not want us to 9 use the USA Flag name. But we'd also had many 10 discussions where we reiterated that we did not 11 feel like that their desire was accurate. We 12 just disagreed.</b></p> <p>13 <b>But instead of resorting to legal 14 matters at the time, I -- I went to our lawyers 15 and was, like, Can we just discuss. I mean, can 16 we have a conversation with them. There's so 17 many mutually beneficial ways that we can still 18 collaborate I felt like.</b></p> <p>19 <b>So we set up a call, talked through 20 it, and we decided to work together. And as part 21 of that arrangement, we knew that their desire 22 was for us to not use the USA Flag brand. And at 23 the time we were not using it extensively, so we 24 agreed to just kind of table it for a year until 25 we figured this out.</b></p>

Transcript of Travis Burnett, Corporate Designee & Individually      45 (177 to 180)

Conducted on April 12, 2024

	177		179
1 <b>changed it.</b>		1 <b>thought USA Football should know about it since</b>	
2                (Exhibit 94 was marked.)		2 <b>they were so obviously into protecting their</b>	
3    Q. Okay. This is Exhibit Number 94.		3 <b>brand that they would send us cease-and-desist as</b>	
4    This is USAFB 827. This is another text exchange		4 <b>a good partner. So at this time, we were still</b>	
5    that I also believe is between you and Mr. Mayes,		5 <b>currently partners, I believe, yeah.</b>	
6    but take a look and let me know if you think that		6    Q. So you knew that protecting the brand	
7    seems right. But the one I want to ask about is		7    is something that's really important to	
8    the dark bubble at the bottom, which is you --		8    USA Football?	
9 <b>A. Yep.</b>		9 <b>A. I think it's important to everybody.</b>	
10   Q. -- on February 28th saying: FYI,		10   Q. Do you know if USA Football did	
11   this isn't us but may want to have your legal		11   anything --	
12   team take a look.		12 <b>A. I don't.</b>	
13   And you're sending a link to -- it's		13   Q. -- about that? Okay.	
14   a little bit obscured -- but I think it says		14 <b>A. I would like to know.</b>	
15   Usaflagtournaments.com.		15   Q. Tell me about -- I learned something	
16   Do you see that?		16   yesterday that maybe I should have known before	
17 <b>A. Yes, ma'am.</b>		17   but I didn't --	
18   Q. What's Usaflagtournaments.com?		18 <b>A. Okay.</b>	
19 <b>A. I'm not sure. It was sent to us.</b>		19   Q. -- which is that USA Flag is planning	
20   Q. By whom?		20   to have its own National Team.	
21 <b>A. I don't remember. I just remember</b>		21 <b>A. Yeah, it's one of the many ideas that</b>	
22   someone sending it to us and saying, Hey, these		22   we have, and this one is one that I think we will	
23   guys are trying to look like you, and being that		23   eventually roll out in some capacity.	
24   USA Football had been all over us about our		24   Q. Tell me about that.	
25   brand, we felt like they would want to know.		25   MR. HAYNES: Objection. Form.	
	178		180
1    Q. So that they could do what?		1 <b>A. It's really not a whole lot to talk</b>	
2 <b>A. Whatever they wanted to do with it.</b>		2 <b>about. We want to have a team that we can call</b>	
3 <b>I don't know.</b>		3 <b>the USA Flag National that will represent our</b>	
4    Q. Were you comfortable with them		4 <b>player base that would travel and represent our</b>	
5    potentially asserting intellectual property		5 <b>brand in different tournaments. We feel like</b>	
6    rights with respect to Usaflagtournaments.com?		6 <b>it's a good value to players, it's something we</b>	
7 <b>A. If they felt like they needed to. I</b>		7 <b>can promote and that they would enjoy, and it</b>	
8 <b>just was letting them know.</b>		8 <b>would be a good value add to the sport to</b>	
9    Q. Did you do anything to assert any		9 <b>continue growing and develop high-level</b>	
10   legal rights with respect to		10 <b>competition.</b>	
11   Usaflagtournaments.com?		11   Q. Why is that a value add to the sport?	
12 <b>A. Did not.</b>		12 <b>A. It just gives a competitive nature</b>	
13   Q. Did you evaluate whether to do that?		13 <b>when we travel overseas, especially Mexico and</b>	
14 <b>A. I don't remember. I don't know. I</b>		14 <b>other places, it just -- it brings some value.</b>	
15 <b>mean, we probably informally.</b>		15 <b>They just want to be -- our brand, USA Flag, is</b>	
16   Q. Okay. Well, I'm trying to figure out		16 <b>known in our space, and so a team representing</b>	
17   why you think USA Football would be concerned		17 <b>that is welcomed and it just is a -- is a cool</b>	
18   about Usaflagtournaments.com?		18 <b>factor for them.</b>	
19 <b>A. I'm trying to remember as well. I</b>		19   Q. Cool factor for them or for you?	
20 <b>believe there's I saw on the website that was</b>		20 <b>A. Both, you know.</b>	
21 <b>egregious, but I don't really remember what it</b>		21   Q. What would be the upside for you?	
22 <b>was that made me think that they were</b>		22 <b>A. For a National Team?</b>	
23 <b>intentionally trying to look like USA Football.</b>		23   Q. Sure.	
24 <b>Like, I don't remember. I feel like it was their</b>		24 <b>A. I mean, long term in preparing with</b>	
25 <b>logo or something in their wording, and I just</b>		25 <b>the idea that, like, we would love to be in the</b>	

Transcript of Travis Burnett, Corporate Designee & Individually      46 (181 to 184)

Conducted on April 12, 2024

	181		183
1	discussion meaning, you know, to manage the	1	A. Honestly, we've probably had this
2	Olympic team. So there's definitely a part of it	2	idea since the beginning. We just -- it's a
3	that is us kind of preparing for that, knowing	3	difficult idea to execute without funding or, you
4	that we can do it, getting our ducks in a row and	4	know, doing it the right way, and we don't like
5	everything else.	5	to have way do things. So we -- we have a lot of
6	The players love it because they get	6	ideas that we just don't roll out right away that
7	to be recognized, they get to be part of	7	we're waiting for the right opportunity that
8	something bigger. And then the teams that are	8	makes sense to us.
9	especially internationally located enjoy it	9	Q. Is there something about this moment
10	because feels like a more official capacity that	10	in time that makes it feel like the right moment
11	they want to do and it's representing our brand.	11	to roll it out?
12	Q. Okay. So that's interesting to me.	12	A. Particularly, yeah. I mean, the
13	So your view is that creating your	13	importance of Olympics, the athletes that are
14	own National Team that hasn't ever existed before	14	coming out, the more talk and the high-level
15	will actually make it more likely that you will	15	athletes that want to get involved, there's
16	be considered to be, what, the NGB?	16	plenty of opportunity, plenty of people who want
17	A. No, I don't believe so. I don't	17	to try it out and want to -- want to play and be
18	believe that that's necessary until after you	18	a part of something bigger, yeah.
19	become NGB if you really needed to. That's not	19	Q. How will you distinguish USA Flag
20	-- that's not -- that's not our goal is to use it	20	National Team from the USA Football National
21	for NGB status, no.	21	Team?
22	Q. Okay. Then I misunderstood because	22	A. I -- I don't know that we will do
23	that's what I thought you were saying, that it	23	anything in particular one way or the other. I
24	would --	24	don't know that we need to.
25	A. No.	25	Q. Not aware of any legal risks with
	182		184
1	Q. -- that you wanted to do it to kind	1	having something called a USA Flag National Team
2	of show that you could do it basically?	2	in a space where there's a USA Football National
3	A. Not to show. To just prepare	3	Team?
4	ourselves.	4	A. In a space where there's a USA
5	Q. Prepare for what is what I'm asking?	5	everything National Team, I don't believe that
6	A. For the potential that we would do	6	that's a risk, no. I mean, it -- it's always a
7	that officially in an official capacity for the	7	risk to another organization, anybody can sue
8	Olympics.	8	anybody for anything. I don't believe we are
9	Q. To do what official?	9	setting ourselves up to be in bad position,
10	A. Prepare a National Team, a Team USA	10	especially with trademarks. So no, I don't.
11	specifically in that case.	11	Q. What have you done to evaluate that
12	Q. As the NGB or in some other role?	12	risk?
13	A. Potentially as the NGB, yeah. Or as	13	A. Evaluate the risk of you coming after
14	part of our partnership with USA Football where	14	us or is another group coming after us?
15	we would manage that.	15	Q. You said, I don't believe it's risk
16	Q. Is it kind of like a credential that	16	to proceed, and I want to know how you've reached
17	you would like to have that -- that you have and	17	that conclusion?
18	can field and compete with a National Team?	18	A. Just research and communication just
19	A. No. It's -- it's just the act of	19	I believe is the opinion we came to. And I
20	doing it, just -- just getting it in part of our	20	don't believe it's not a risk. I believe that
21	program, just making it natural. Having --	21	it's worth the risk, if it is a risk at all.
22	having that as a -- is just what we do. I mean,	22	Q. Is it your view -- back to this
23	whether or not we are the official Olympic	23	concept of everybody knows, is it your view that
24	National Team, there's value.	24	everybody will know that the USA Flag National
25	Q. When did this idea come about?	25	Team is different from the USA Football National

Transcript of Travis Burnett, Corporate Designee & Individually      53 (209 to 212)

Conducted on April 12, 2024

	209		211
1	12 team athletes is a different story, so it will	1	Q. -- in the back of the document.
2	be a part of the program that we have planned if	2	But this is an email exchange with
3	we ever develop like a National Team-type	3	Merrill Squires from --
4	program.	4	<b>A. Okay, yeah.</b>
5	Q. Not be required -- it's not required	5	Q. -- Accelerated Growth Partners.
6	by whom?	6	Tell me from your perspective what
7	<b>A. What did -- I don't know.</b>	7	the NFL deal referenced in this email exchange
8	Q. You said drug testing is not	8	was.
9	required?	9	<b>A. Am I allowed to reference my what I</b>
10	<b>A. By us, currently. I don't know,</b>	10	<b>heard yesterday? I don't know this whole</b>
11	maybe that's what I meant. But for our entire	11	<b>exhibit.</b>
12	operation, for every tournament that we do, as	12	Q. Yeah. Did he get it right?
13	far as I know, I don't know of anybody who does	13	<b>A. I believe so, yes. I couldn't</b>
14	that in any sport for like all of their	14	<b>remember either what NFL -- because we weren't</b>
15	constituents, other than the ones who are	15	<b>dealing with the NFL directly at that point. And</b>
16	representing their National Team. I don't know	16	<b>then -- so I'll look through it. But I do</b>
17	for sure. There could be. I don't know.	17	<b>believe that it was with reference to us working</b>
18	Q. And your view is that you're the	18	<b>18 with NFL Flag is what it was talking about.</b>
19	governing body for your events?	19	Q. Okay. And did this -- that's really
20	<b>A. For our players and our events, yes.</b>	20	what I want to know is whether this email
21	Q. And so the decider on whether	21	exchange somehow documents some kind of earlier
22	there's, for example, drug testing at your events	22	than 2022 direct interaction between you-all and
23	is you?	23	the NFL and it sounds like no.
24	<b>A. Yes.</b>	24	<b>A. Correct, that we would not have had</b>
25	Q. Okay. Do you understand that	25	<b>any direct interaction at that time.</b>
	210		212
1	USA Football is subject to different	1	Q. Okay. And you didn't end up doing a
2	requirements?	2	deal with AGP?
3	<b>A. I believe that they have different --</b>	3	<b>A. No, ma'am.</b>
4	<b>I'm sure they do as part of whatever the</b>	4	Q. And haven't since then?
5	<b>rights -- or rights holder or whatever they</b>	5	<b>A. Correct.</b>
6	<b>called it -- rights -- recognized sport. Sorry.</b>	6	Q. Okay. Who is -- we've -- everybody's
7	<b>Yeah, I'm sure that there are. I don't know what</b>	7	mentioned him -- from your perspective, who's
8	<b>they are exactly. But I know that there are</b>	8	Izell Reese?
9	<b>stricter requirements as well when you get into</b>	9	<b>A. He is -- I guess I don't know his</b>
10	<b>the Olympics and all that.</b>	10	<b>exact title, but in charge, pretty much the point</b>
11	Q. Okay. I want to show you --	11	<b>11 person for the NFL Flag project. He works for</b>
12	MS. RICCHIUTO: Will your assistant	12	<b>12 Reigning Champs, and they run the NFL Flag</b>
13	interrupt us? Do we need to --	13	<b>13 program underneath Roman and -- and Troy.</b>
14	MR. HAYNES: Yeah. We -- so -- off	14	Q. Are you aware of whether he has
15	the record just a half second. We don't have to	15	certain relationships with folks at the NFL?
16	go off the video.	16	<b>A. I am aware, yeah.</b>
17	(Discussion off the record.)	17	Q. With whom?
18	MS. RICCHIUTO: And we'll go back on.	18	<b>A. I know that he reports to Roman Oben</b>
19	Q. (BY MS. RICCHIUTO) This is -- if you	19	-- what I've been told, that he reports to Roman
20	find in your pile, Exhibit Number 46,	20	Oben at NFL Operations, and I know he used to
21	Mr. Burnett. This is the email exchange that I	21	play in the NFL and has connections. I just
22	looked at with Charles yesterday. It's the one	22	don't know what to the extent.
23	that gets sort of whacky in terms of	23	Q. Are you guys friendly?
24	formatting --	24	<b>A. I thought we were until, you know,</b>
25	<b>A. Okay.</b>	25	<b>all the interactions and he kind of -- he had</b>

Transcript of Travis Burnett, Corporate Designee & Individually      78 (309 to 312)  
 Conducted on April 12, 2024

	309		311
1	Do you see that?	1	<b>A. Yes.</b>
2	<b>A. Okay.</b>	2	Q. Now, neither of those are NGB. How
3	Q. And because this is on the website,	3	long had the language -- the highlighted language
4	Chuck said only you could talk about it.	4	in Exhibit 77 been on your website?
5	<b>A. Fair enough.</b>	5	<b>A. We had hired a individual to write</b>
6	Q. So I want to understand why	6	<b>these for us. His name was Dave Ralston. It's</b>
7	there's -- what was the reason during the days	7	<b>been probably four or five years, he had written</b>
8	between July 6th and July 13th in 2023 that you	8	<b>some of the rules and basically took our current</b>
9	changed the language in Article 1 here?	9	<b>rules, reformatted it, placed it in here, and we</b>
10	<b>A. I mean, I believe you guys had raised</b>	10	<b>had kind of gone with most of his language for a</b>
11	<b>concern about it, and I think we had talked about</b>	11	<b>while. I don't remember exactly when that was,</b>
12	<b>it internally, just decided that it was something</b>	12	<b>but it had been several years, I believe.</b>
13	<b>that we could change and it wouldn't affect</b>	13	Q. Is there a reason why that gentleman
14	<b>anything else that we were doing. So we were --</b>	14	who wrote these for you did not use the term
15	<b>went ahead and just -- just similar to how we had</b>	15	"national governing body"?
16	<b>done before and made some changes if it meant</b>	16	<b>A. Probably. I don't know if that was</b>
17	<b>appeasing somebody, that it didn't affect</b>	17	<b>something we directed him not to use because we</b>
18	<b>anything else negatively on our end.</b>	18	<b>were under the impression that was a official</b>
19	Q. Who was it supposed to appease?	19	<b>title that we didn't hold or -- or not or if he</b>
20	<b>A. I don't remember if it was something</b>	20	<b>knew that himself. I don't remember having a</b>
21	<b>that you guys raised or if it was in the suit or</b>	21	<b>conversation about it.</b>
22	<b>whatever, but I think we just decided that, you</b>	22	Q. Okay. And then when USA Flag is
23	<b>know, this is something that would be a -- a</b>	23	referred to as the ultimate governing body, I
24	<b>quick change, it doesn't really affect it. That</b>	24	think of "ultimate" as pretty prestigious?
25	<b>doesn't mean that we agreed to it. We just</b>	25	<b>A. Sure.</b>
	310		312
1	<b>I wanted to put in play so it doesn't cause any</b>	1	Q. Is that the connotation that it has
2	<b>future issues if that was the problem.</b>	2	to you?
3	Q. It doesn't mean you agreed to it that	3	<b>A. I just -- I think it -- I guess you</b>
4	you put it on your website?	4	<b>could say that. It depends on how you use it. I</b>
5	<b>A. Doesn't mean we agreed to it that we</b>	5	<b>think we were utilizing in the form of like for</b>
6	<b>changed it. Doesn't mean we agreed that it was</b>	6	<b>our forms and styles of the sport, which very few</b>
7	<b>wrong, just that it was something that we were</b>	7	<b>people encompass all forms and styles of the</b>
8	<b>willing to do if it meant that it would make</b>	8	<b>sport, that we were the governing body that</b>
9	<b>another party happy.</b>	9	<b>encompassed all of that, and ultimate being</b>
10	Q. It would make somebody happy?	10	<b>probably the highest level that we knew of, yeah.</b>
11	<b>A. I would -- this is something that you</b>	11	Q. Are you aware of whether or not
12	<b>guys put in there, so I would imagine that it</b>	12	today, as we sit here, on your website there
13	<b>would be something you guys don't want in there,</b>	13	continue to be use of -- usage of the language in
14	<b>so we changed it. I don't know. I don't</b>	14	77 in other places on your website?
15	<b>remember what the exact reasoning was other than</b>	15	<b>A. I'm not -- I am not aware personally.</b>
16	<b>we decided that it was something we could change.</b>	16	<b>I'm not saying that there isn't. I don't know of</b>
17	Q. Do you remember in the complaint we	17	<b>any that I -- I can point to, though.</b>
18	just looked at, there was an allegation that	18	Q. Do you remember when you made the
19	USA Football calls itself the NGB and USA Flag	19	change to this section of your website making any
20	doesn't?	20	other changes?
21	<b>A. Yes.</b>	21	<b>A. I don't. I don't remember making any</b>
22	Q. Okay. And do you agree that on	22	<b>other changes other than the article changes that</b>
23	Exhibit 77, we've got "national governing	23	<b>we already discussed. I don't -- I don't know if</b>
24	organization" and "ultimate governing body"	24	<b>there -- it's possible. I don't know.</b>
25	references; correct?	25	Q. Okay. And you're comfortable that

Transcript of Travis Burnett, Corporate Designee & Individually      79 (313 to 316)  
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<p>1 representing yourself as the ultimate overseeing  2 body and the ult- -- ultimate governing body and  3 self-appointed national governing organization  4 and -- I guess that's it -- that all of those  5 things are accurate and appropriate and  6 descriptive ways to hold yourself out to the  7 public?</p> <p>8 MR. HAYNES: Objection. Form.</p> <p>9 A. I do.</p> <p>10 Q. Has USA Flag, other than in the Event  11 Collaboration Agreement, ever referred to  12 USA Football as the governing body?</p> <p>13 A. I'm not sure.  14 (Exhibit 103 was marked.)</p> <p>15 Q. This is Exhibit Number 103. This is  16 FFWCT 570. This is from August 8, 2017. It's  17 emails back and forth between you and Mike Solow  18 -- Salow (pronouncing) from Idea Harvest. Who's  19 Mike?</p> <p>20 A. I do not remember. This doesn't even  21 look familiar to me. It's me that I'd -- yeah,  22 this isn't ringing a bell.</p> <p>23 Q. Can I tell you what I think it is?</p> <p>24 A. Yeah, sure.</p> <p>25 Q. I think that a woman named maybe</p>	<p>313</p> <p>1 top of that email where you adopt his numbering,  2 and you say: It's a long story and a very  3 possible reality -- but a very possible reality  4 especially once we're aligned with USA Football  5 who is the official representative in the US for  6 American football, and flag football has been  7 recognized as an official possible Olympic sport.</p> <p>8 Do you see that?</p> <p>9 A. Uh-huh.</p> <p>10 Q. At this time in 2017, you understood  11 that USA Football was the official representative  12 in the US for American football and flag  13 football?</p> <p>14 MR. HAYNES: Objection. Form.</p> <p>15 A. I believe that my context was that  16 USA Football was the official representative in  17 the US for American football. And then I said,  18 And flag football has been recognized as an  19 official possible Olympic sport.</p> <p>20 I think at this time I still believed  21 that flag football still could be represented  22 separately.</p> <p>23 Q. What do you think American football  24 means?</p> <p>25 A. Tackle football.</p>
<p>1 Ronna Cross --  2 Do you know here?  3 A. Okay. That seems familiar.  4 Q. -- that she connected you with  5 Idea Harvest to assist you with putting together  6 your 2017 proposal to USA Football.</p> <p>7 A. Oh, okay.  8 Q. Does that -- do you agree that that's  9 the situation?</p> <p>10 A. I don't know because this is in  11 August.  12 Q. Yeah.  13 A. This one -- this would have been  14 after we had already -- well, I don't know, maybe  15 we hadn't met. I don't know. It's possible,  16 though. I haven't read through everything yet.  17 Q. Okay. Understood. And you are free  18 to look at anything you want to. The thing that  19 I want to ask you about is he asks you some  20 questions at the bottom of page 570. And they're  21 numbered questions, and one of them is Number 2,  22 Can you deliver the vision behind the purpose  23 statement on slide 5 and the business goals on  24 slide 6?  25 And you are giving responses at the</p>	<p>314</p> <p>1 Q. What's non-American football?  2 A. Well, there's soccer, there's other  3 versions of it, but typically when someone says  4 American football, they mean tackle football.  5 That's just -- from what I -- that's the way I  6 would think of it. I'm not saying everybody  7 else.</p> <p>8 Q. So this is the time period when the  9 you thought that USA Football was only the  10 governing body for tackle; is that right?</p> <p>11 A. I wouldn't say that I only thought  12 they are for tackle. Or I think I felt like that  13 their -- whether maybe flag was lumped in, but  14 there was an opportunity to have a separate  15 brand. Because my understanding was even at the  16 time on tackle, USA Football had to use third  17 parties to operate their NGB or their governing  18 body part, which I do know to be the case at  19 least from an event standpoint. So I think I  20 thought that was still a possibility on the flag  21 side.</p> <p>22 Q. Is it USA Flag's goal to become  23 the IFAF member for America?</p> <p>24 A. No, that's not one of our active  25 goals.</p>

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<p>1 THE REPORTER: It's just not going to      2 be page and line, that's the whole withdrawal.      3 MS. RICCHIUTO: Yeah, I understand.      4 MR. HAYNES: The position for now is      5 we'd have to file it under seal. But if I can      6 get a rough of whenever she gets the rough,      7 I'll -- and if you can let me know -- it would      8 be -- I guess it would be the stuff around what      9 Mr. Sarvadi knows and doesn't know, et cetera,      10 I'll look through it and I'll consult further.      11       Mark's going to be out of the country      12 starting tomorrow, so I'll have to make the      13 decision myself. But I -- I'll -- I'll put due      14 -- due diligence into considering whether that      15 has to be put under seal or not.      16 MS. RICCHIUTO: Well, then I would be      17 willing to just tell you in advance here's what      18 I'm planning on filing.      19 MR. HAYNES: Okay.      20 MS. RICCHIUTO: And then you can --      21 so you're not trying to decide in a vacuum, or      22 guessing --      23 MR. HAYNES: Okay.      24 MS. RICCHIUTO: -- I'm happy to tell      25 you here's the segments I'm planning to file,</p>	<p style="text-align: right;">413</p> <p>1 time is 5:41 p.m. We're off the record.      2 (Time noted - 5:41 p.m.)</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>1 what's your position. I think that's the most      2 straightforward with that.      3 MR. HAYNES: Sure. That -- okay.      4 MS. RICCHIUTO: And then you've got      5 your other designation projects kind of at large,      6 but specific to the motion --      7 MR. HAYNES: Right.      8 MS. RICCHIUTO: -- I'm very      9 comfortable doing that.      10 MR. HAYNES: And I did talk to Mark      11 about going past the 26th for his deposition, and      12 he said fine.      13 MS. RICCHIUTO: If -- if -- if the      14 NFL and/or Paul to be deposed.      15 MR. HAYNES: Yes. Yes. Correct.      16 Well, we'd already said Paul can be taken past      17 the 26th, so the NFL -- NFL as well. So...      18 MS. RICCHIUTO: Okay.      19 MR. HAYNES: And I haven't -- I      20 haven't asked what do you know. We can do that      21 off the record.      22 MS. RICCHIUTO: Do you -- okay.      23 That's fine. I think we're good.      24 THE VIDEOGRAPHER: This concludes the      25 videotaped deposition of Travis Burnett. The</p>	<p style="text-align: right;">414</p> <p>1 IN THE UNITED STATES DISTRICT COURT      2 FOR THE EASTERN DISTRICT OF TEXAS      3 SHERMAN DIVISION      4 USA FOOTBALL, INC.,      )      5                              )      6 Plaintiff,      ) CIVIL ACTION      7                              )      8 VS.                      ) NO.: 4:23-CV-00465      9                              ) and 4:23-CV-00561-ALM      10 FFWCT, LLC; USA FLAG, LLC;      )      11 AND TRAVIS BURNETT,      )      12                              )      13                              ) Defendants.      )      14                              ) REPORTER'S CERTIFICATION      15                              ) VIDEOTAPED ORAL DEPOSITION OF      16                              ) FFWCT, LLC AND USA FLAG, LLC      17 BY AND THROUGH ITS DESIGNATED REPRESENTATIVE      18                              ) TRAVIS BURNETT      19                              ) APRIL 12, 2024      20                              I, Kim A. McCann, Certified Shorthand Reporter in      21 and for the State of Texas, hereby certify to the      22 following:      23                              That the witness, TRAVIS BURNETT, was duly sworn      24 by the officer and that the transcript of the oral      25</p>

Transcript of Travis Burnett, Corporate Designee & Individually 105 (417 to 420)  
Conducted on April 12, 2024

417

1 deposition is a true record of the testimony given by the  
2 witness;

3 I further certify that pursuant to FRCP Rule  
4 30(f)(1) that the signature of the deponent:

5 \_\_\_\_\_ was requested by the deponent or a party  
6 before the completion of the deposition and returned  
7 within 30 days from date of receipt of the transcript.  
8 If returned, the attached Changes and Signature Page  
9 contains any changes and the reasons therefor;

10 \_\_\_\_\_ X was not requested by the deponent or a  
11 party before the completion of the deposition.

12 That the amount of time used by each party at the  
13 deposition is as follows:

14 MS. RICCHIUTO - 6 HOURS : 46 MINUTES

15 I further certify that I am neither counsel for,  
16 related to, nor employed by any of the parties or  
17 attorneys in the action in which this proceeding was  
18 taken.

19 Further, I am not a relative or employee of any  
20 attorney of record in this cause, nor do I have a  
21 financial interest in the action.

22 Certified to by me this 19th day of April, 2024.

23 

24 Kim A. McCann, RMR, CRR, CSR

418

1 Texas CSR No. 5520  
2 Expiration Date: 10/31/2025  
3 Planet Depos Worldwide  
4 451 Hungerford Drive  
5 Suite 400  
6 Rockville, MD 20850

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